

REMARKS

Claims 1-11 are currently pending in the present application. In view of the following remarks and claim amendments, Applicants request that the Examiner withdraw all objections and claim rejections and allow all claims pending in the application.

1. Objection to the Reissue Oath

The Examiner has objected to the reissue oath due to the additional amendments made to the claims. Applicants submit herewith a supplemental oath and declaration executed by the inventors, thus removing the basis for this rejection.

Accordingly, Applicants respectfully request the Examiner withdraw the outstanding objection related to the reissue oath.

2. Rejection of Claims 1-11 under 35 U.S.C. 251

The Examiner has rejected claims 1-11 under 35 U.S.C. §251 as being based on a defective oath and declaration. The Examiner indicates that the receipt of a supplemental oath and declaration will overcome this rejection.

Applicants submit herewith a supplemental declaration for a

reissue patent application, thus obviating the grounds for this rejection. Accordingly, Applicants request reconsideration and withdrawal of this rejection.

3. Objection to the Claim Amendments

The Examiner has objected to the claim amendments filed on May 27, 2003. The Examiner has deemed the amendment to be improper because the amendments must be based on the original claims.

Applicants have resubmitted the amendments from May 27, 2003, as applied to the original claims. In other words, the attached set of amended claims shows the underlined additions and bracketed deletions made to the patent claims from the preliminary amendment, from the amendment filed on May 27, 2003, and from this response and amendment. If the Examiner requires the claims in another format (i.e., if Applicant's attorney has misunderstood the Examiner's instructions), the Examiner is requested to contact the undersigned and discuss what is actually required for the amendments to be entered.

4. Examiner's Amendment to Claim 1

The Examiner indicates that, upon further consideration, the

previously discussed amendment to claim 1 will not be entered because it broadens claim 1. The Examiner proposes that claim 1 be amended to "1.5 to smaller than 2."

Having considered the matter, Applicants have amended claim 1 to re-incorporate the lower limit of 1, rather than the lower limit of 1.5 proposed by the Examiner. The lower limit of 1 is supported by the original claims, and therefore Applicants submit that the amendment does not introduce new matter, nor does it broaden the scope of the reissue. Accordingly, Applicants respectfully request entry of the amendment into the claims, and withdrawal of the Examiner's objection to the claim 1.

5. Relinquishment of the Original Letters Patent

Prior to allowance of this reissue application, Applicants must relinquish the original letters patent. Attached with this response and amendment is the Original Letters Patent for U.S. Patent No. 6,265,373. Thus, Applicants respectfully submit that all requirements for allowance of this reissue application have now been fulfilled.

Applicants, therefore, request early indication of allowance of this reissue application.

CONCLUSION

Based upon the above remarks, the presently claimed subject matter is believed to be novel and patentably distinguishable over the prior art of record. Further, the claim and specification amendments made in are fully supported by the specification as originally filed and do not represent new matter. The Examiner is respectfully requested to enter the above claim amendments and allow this case to proceed to grant. Favorable action with an early allowance of the claims pending in this application is earnestly solicited.

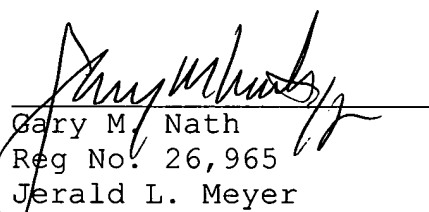
The Examiner is welcomed to telephone the undersigned attorney if he has any questions or comments.

Date: February 3, 2004

NATH & ASSOCIATES PLLC
1030 15th Street, N.W.
6th Floor
Washington, D.C. 20005
Tel: (202) 775-8383
Fax: (202) 775-8396

GMN/JLM/TWK:OA.1. - response

Respectfully submitted,
NATH & ASSOCIATES PLLC



Gary M. Nath
Reg No. 26,965
Jerald L. Meyer
Reg. No. 41,194
Customer No. 20529

Appendix A

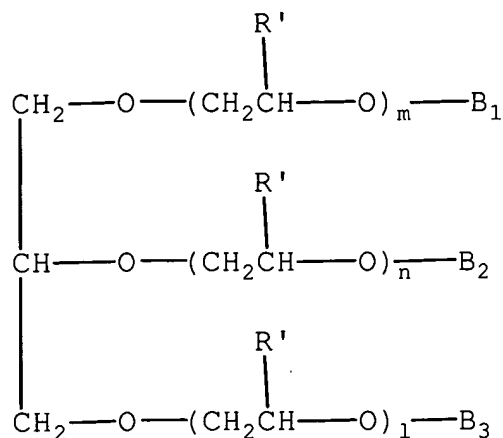
Please amend the following claims as indicated in the following marked up copy of the original claims.

1. (Currently amended) Composition comprising

- (i) compounds represented by the following formula (I), wherein each of B1, B2 and B3 independently represent a group represented by the following formula (II);
- (ii) compounds represented by the following formula (I), wherein two of B1, B2 and B3 independently represent a group represented by the following formula (II), the remainder representing H;
- (iii) compounds represented by the following formula (I), wherein one of B1, B2 and B3 represents a group represented by the following formula (II); the remainder representing H;
- (iv) compounds represented by the following formula (I), wherein each of B1, B2 and B3 represent H;

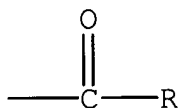
the weight ratio of the compounds [(i)/(ii)/(iii)]
(iii)/(ii)/(i) being 46 to 90/9 to 35/1 to 15:

Formula (I):



R' representing H or CH₃, and each of m, n, and l independently representing a number from 0 to [4] 1, the sum of m, n and l [being in the range of 1 to 4] in formula (I) is from 1 to smaller than 2;

Formula (II):



wherein R represents an alkyl or alkenyl group having 6 to 22 carbon atoms.

2. (Previously Amended) Composition according to claim 1, wherein the weight ratio of the compounds [(i)/(ii)/(iii)] (iii)/(ii)/(i) is 60 to 83/16 to 35/1 to 6.

3. (Original) Composition according to claim 1, wherein R' in formula (I) represents H.

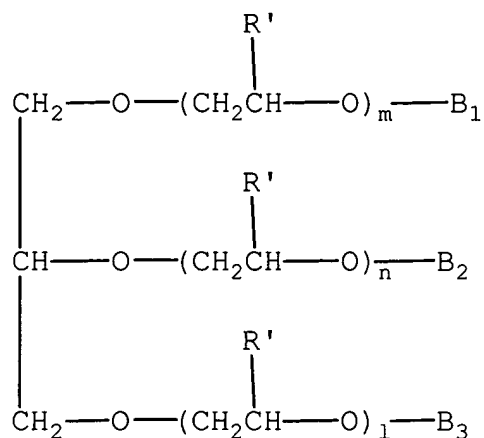
4. (Original) Composition according to claim 1, wherein the sum of m, n and l in formula (I) is in the range of 1.5 to 3.0.

5. (Previously Amended) Composition comprising

- (i) compounds represented by the following formula (I), wherein each of B1, B2 and B3 independently represent a group represented by the following formula (II);
- (ii) compounds represented by the following formula (I), wherein two of B1, B2 and B3 independently represent a group represented by the following formula (II), the remainder representing H;
- (iii) compounds represented by the following formula (I), wherein one of B1, B2 and B3 represents a group represented by the following formula (II); the remainder representing H;
- (iv) compounds represented by the following formula (I), wherein each of B1, B2 and B3 represent H;

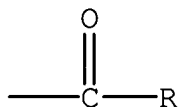
the weight ratio of the compounds [(i)/(ii)/(iii)] (iii)/(ii)/(i) being 60 to 83/16 to 35/1 to 6:

Formula (I):



R' representing H, and each of m, n, and l independently representing a number from 0 to 4, the sum of m, n and l being in the range of 1.5 to 3.0;

Formula (II):



wherein R represents an alkyl or alkenyl group having 6 to 22 carbon atoms.

6. (Original) Composition according to claim 5, wherein the sum of m, n and l in formula (I) is smaller than 2.

7. (Original) Composition according to claim 5, wherein the weight ratio (i)+(ii)+(iii)/(iv) is in the range of 85/15 to 40/60.

8. (Previously Amended) Method for the preparation of a composition comprising

- (i) compounds represented by the following formula (I), wherein each of B₁, B₂ and B₃ independently

represent a group represented by the following formula (II);

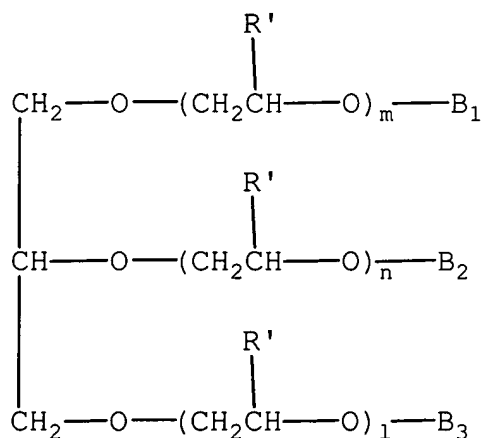
(ii) compounds represented by the following formula (I), wherein two of B₁, B₂ and B₃ independently represent a group represented by the following formula (II), the remainder representing H;

(iii) compounds represented by the following formula (I), wherein one of B₁, B₂ and B₃ represents a group represented by the following formula (II); the remainder representing H;

(iv) compounds represented by the following formula (I), wherein each of B₁, B₂ and B₃ represent H;

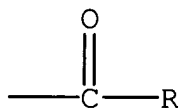
the weight ratio of the compounds [(i)/(ii)/(iii)] (iii)/(ii)/(i) being 46 to 90/9 to 35/1 to 15:

Formula (I):



R' representing H or CH₃, and each of m, n, and l independently representing a number from 0 to 4, the sum of m, n and l being in the range of 1 to 4;

Formula (II):

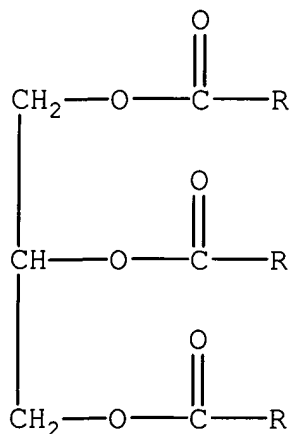


wherein R represents an alkyl or alkenyl group having 6 to 22 carbon atoms;

the method comprising the following steps:

- a) subjecting a mixture of glycerine and a compound of the following formula (III) to an interestification reaction:

(III)



wherein R represents an alkyl or alkenyl group having 6 to 22 carbon atoms, and

- b) subjecting the reaction mixture obtained in step a) to an alkoxylation using an alkylene oxide having 2 or 3 carbon atoms in the presence of an alkaline catalyst.

9. (Previously Amended) Method for the preparation of a composition comprising

- (i) compounds represented by the following formula (I), wherein each of B1, B2 and B3 independently represent a group represented by the following

formula (II);

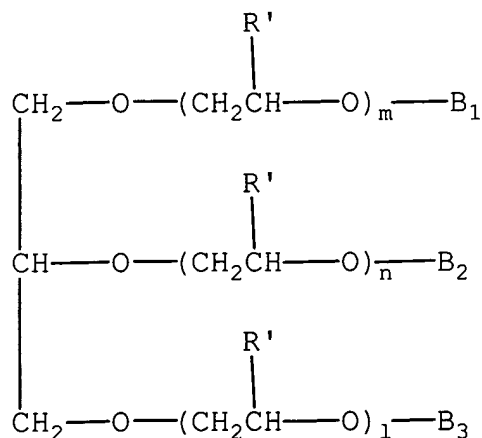
(ii) compounds represented by the following formula (I), wherein two of B₁, B₂ and B₃ independently represent a group represented by the following formula (II), the remainder representing H;

(iii) compounds represented by the following formula (I), wherein one of B₁, B₂ and B₃ represents a group represented by the following formula (II); the remainder representing H;

(iv) compounds represented by the following formula (I), wherein each of B₁, B₂ and B₃ represent H;

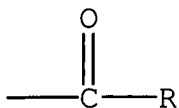
the weight ratio of the compounds [(i)/(ii)/(iii)] (iii)/(ii)/(i) being 46 to 90/9 to 35/1 to 15:

Formula (I):



R' representing H or CH₃, and each of m, n, and l independently representing a number from 0 to 4, the sum of m, n and l being in the range of 1 to 4;

Formula (II):



wherein R represents an alkyl or alkenyl group having 6 to 22 carbon atoms;

the method comprising the following steps:

a') reacting a mixture of glycerine and alkylene oxide having 2 or 3 carbon atoms in the presence of an alkaline catalyst, and

b') reacting the reaction mixture obtained in step a') with a compound of the following formula (IV):



wherein R represents an alkyl or alkenyl group having 6 to 22 carbon atoms, and X represents a methyl group or H.

10. (Previously Amended) Detergent composition containing a composition comprising the following compounds (i) to (iv) in an amount of 0.5 to 20 wt.-%.

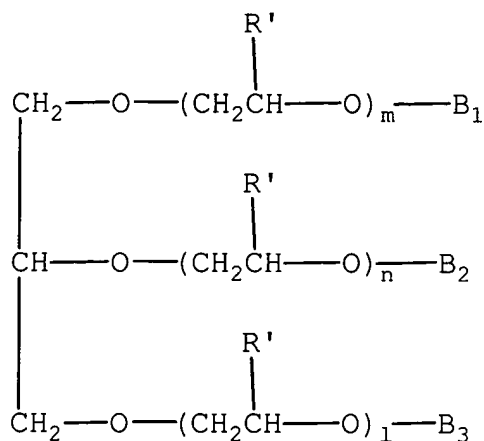
- (i) compounds represented by the following formula (I), wherein each of B1, B2 and B3 independently represent a group represented by the following formula (II);
- (ii) compounds represented by the following formula (I), wherein two of B1, B2 and B3 independently represent a group represented by the following formula (II), the remainder representing H;
- (iii) compounds represented by the following formula (I),

wherein one of B1, B2 and B3 represents a group represented by the following formula (II); the remainder representing H;

(iv) compounds represented by the following formula (I), wherein each of [Bi] B1, B2 and B3 represent H;

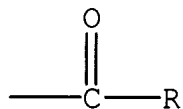
the weight ratio of the compounds [(i)/(ii)/(iii)] (iii)/(ii)/(i) being 46 to 90/9 to 35/1 to 15:

Formula (I):



R' representing H or CH₃, and each of m, n, and l independently representing a number from 0 to 4, the sum of m, n and l being in the range of 1 to 4;

Formula (II):



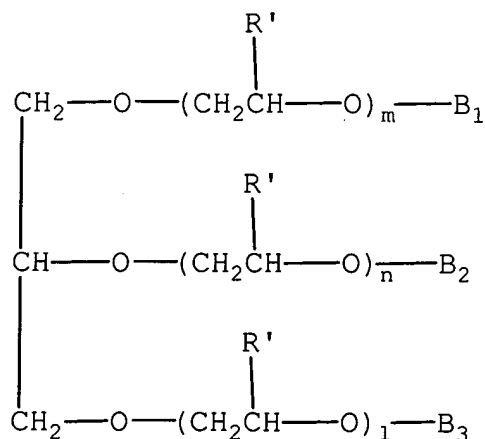
wherein R represents an alkyl or alkenyl group having 6 to 22 carbon atoms.

11. (Previously Amended) Detergent composition containing a composition comprising the following compounds (i) to (iv) in an amount of 1 to 8 wt.-%.

- (i) compounds represented by the following formula (I), wherein each of B₁, B₂ and B₃ independently represent a group represented by the following formula (II);
- (ii) compounds represented by the following formula [(II)] (I), wherein two of B₁, B₂ and B₃ independently represent a group represented by the following formula (II), the remainder representing H;
- (iii) compounds represented by the following formula (I), wherein one of B₁, B₂ and B₃ represents a group represented by the following formula (II); the remainder representing H;
- (iv) compounds represented by the following formula (I), wherein each of B₁, B₂ and B₃ represent H;

the weight ratio of the compounds [(i)/(ii)/(iii)] (iii)/(ii)/(i) being 60 to 83/16 to 35/1 to 6:

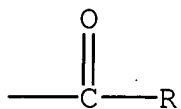
Formula (I):



R' representing H, and each of m, n, and 1 independently representing a number from 1 to 4, the sum of m, n and 1

being in the range of 1.5 to 3.0;

Formula (II):



wherein R represents an alkyl or alkenyl group having 6 to 22 carbon atoms.